

REMARKS

With this Amendment, the Applicant has amended claims 1, 2, 5, 11, and 13-17, and has canceled claims 3, 9, 10, and 12. New claims 21 and 22 have been added. Claims 1-2, 4-8, 11, and 13-22 are currently pending in this application.

No new matter has been added by virtue of this Amendment. Support for this Amendment is found, for example, on page 8, lines 7-13, of the specification, and in Figures 2 and 3.

Objections to the Specification

The Examiner objected to the disclosure because the word “source” was misspelled on page 2, line 13, of the specification. The specification has been amended to correct the spelling of “source” on page 2, line 13.

The Applicant respectfully requests that the objection to the disclosure be withdrawn.

Claim Rejections – 35 USC § 112

Claims 12-13 are rejected under 35 USC § 112, first paragraph, as failing to comply with the enablement requirement. Claim 13 is rejected as incorporating the deficiencies of the claim upon which the claim depends.

Claim 12 has been canceled. Claim 13 has been amended so that it no longer depends from claim 12.

Claim 12 had recited an apparatus “further comprising an imaging source in communication with the processor.” The Applicant respectfully points out that support for claim 12 was found in the specification. For example, support was found on page 9, lines 6-11 and lines 17-18.

Although the Examiner did not state that claim 16 was rejected under 35 USC § 112, the Examiner stated that there was no support in the specification for the term “magnetoencephalogram.” The Applicant respectfully disagrees, as support is found on page 9, line 16, of the specification.

Reconsideration of the rejections under 35 USC § 112 is respectfully requested.

Claim Rejections – 35 USC § 102

Claims 1-8 are rejected under 35 USC § 102(b) as being anticipated by Braun et al. (NPL document titled: “Confidence Interval of Single Dipole Locations Based on EEG Data”).

Claim 3 has been canceled.

The Applicant respectfully asserts that Braun does not disclose all of the features recited in claim 1, as amended. Braun does not disclose “displaying the confidence intervals in an overlay on a three-dimensional image obtained through the use of either magnetic resonance imaging (MRI) or computerized tomography (CT).” Consequently, Braun does not anticipate claim 1. Claims 2 and 4-8 are dependent on claim 1. Therefore, claims 2 and 4-8 are also not anticipated by Braun.

Reconsideration of the rejections of claims 1-2 and 4-8 is respectfully requested.

Claim Rejections – 35 USC § 103

Claims 9-20 are rejected under 35 USC § 103(a) as being unpatentable over Braun in view of Toshimasa et al. (NPL Document titled: “the Accuracy of Localizing Equivalent Dipoles and the Spatio-Temporal Correlations of Background EEG”).

Claims 9, 10, and 12 have been canceled.

The Applicant respectfully asserts that Braun and Toshimasa, either alone or in combination, do not disclose, teach, suggest, or render obvious the inventions of claims 11 and 13-20, as amended. For example, claim 11 recites “a display in communication with the processor and adapted to display the confidence interval in three dimensions relative to a three-dimensional anatomical image, wherein the three-dimensional anatomical image is obtained through the use of the imaging source.” Braun and Toshimasa, either alone or in combination, do not disclose, teach, or suggest a display adapted to display the confidence interval in three dimensions relative to a three-dimensional anatomical image. The Examiner states that Toshimasa teaches a display. (Office Action, page 6, paragraph 4.) However, Toshimasa does not teach a display adapted to display the confidence interval in three dimensions relative to a three-dimensional anatomical image.

As stated in the MPEP, for an invention to be obvious, “[t]he gap between the prior art and the claimed invention may not be ‘so great as to render the [claim] nonobvious to one reasonably skilled in the art.’” MPEP § 2141 (citing *Dann v. Johnston*, 425 U.S. 219, 230

(1976)). The differences between the invention of claim 11 and the combination of Braun and Toshimasa, as discussed above, are so great as to render claim 11 nonobvious to one of ordinary skill in the art. Therefore, claim 11 is not obvious over Braun in view of Toshimasa.

Claims 13-16 and new claims 21-22 are dependent on claim 11, and, consequently, are also not obvious over Braun in view of Toshimasa. Moreover, claim 14 is not obvious over Braun in view of Toshimasa because Braun and Toshimasa, either alone or in combination, do not teach, disclose, suggest, or render obvious the apparatus of claim 11 "wherein the imaging source is a CT unit."

Claim 17 is directed to a method comprising "displaying the confidence interval on a three-dimensional anatomical map, wherein the confidence interval is displayed in its anatomical position in three dimensions." Braun and Toshimasa, either alone or in combination, do not disclose, teach, suggest, or render obvious displaying the confidence interval on a three-dimensional anatomical map, wherein the confidence interval is displayed in its anatomical position in three dimensions. As correctly acknowledged by the Examiner, Braun "does not teach wherein the confidence interval is displayed in its anatomical position." (Office Action, page 5, paragraph 3.) The Examiner states that Toshimasa discloses a method "wherein the confidence interval is displayed in its anatomical position (see section 1, page 118, subsection IV, part d)." (*Id.*) However, the passage of Toshimasa cited by the Examiner, although it mentions the display of a two-dimensional "head slice," does not teach the display of a confidence interval on a three-dimensional anatomical map, wherein the confidence interval is displayed in its anatomical position in three dimensions. Therefore, Braun and Toshimasa, either alone or in combination, do not disclose, teach, or suggest the invention of claim 17.

Moreover, the differences between the invention of claim 17 and the combination of Braun and Toshimasa, as discussed above, are so great as to render claim 17 nonobvious to one of ordinary skill in the art. Therefore, claim 17 is not obvious over Braun in view of Toshimasa. Claims 18-20 are dependent on claim 17, and, consequently, are also not obvious over Braun in view of Toshimasa.

Reconsideration of the rejections of claims 11 and 13-20 is respectfully requested. Consideration of new claims 21-22 is also respectfully requested.

Conclusion

Applicant respectfully submits that, as amended, the subject application is in condition for allowance, and allowance thereof is kindly requested. Should the Examiner wish to discuss these claims further, or should an Examiner's Amendment be needed in order for the claims to proceed to allowance, the Examiner is invited to contact John Klos at (612) 977-8223 at the Examiner's earliest convenience.

Dated: November 26, 2008

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